

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

STEVE LEWIS, a Washington resident,

Plaintiff,

v.

RICHARD PHAN and LINH D. PHAN,

Defendants.

CASE NO. C19-0314-JCC

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable John C. Coughenour, United States District Judge:

This matter comes before the Court on the parties' request for the Court to hear an expedited telephonic discovery motion pursuant to Local Civil Rule 7(i) and the Court's order regarding discovery and depositions (Dkt. No. 7). The Court understands that there is a dispute about whether the discovery deadline has passed. Having thoroughly considered the relevant record, the Court concludes that oral argument is unnecessary and that the discovery deadline has passed.

The Court issued the original scheduling order in this matter on July 16, 2019. (*See* Dkt. No. 16.) That order scheduled trial for March 9, 2020, the discovery deadline for 120 days before trial (i.e., November 11, 2019), and the dispositive motions deadline for 90 days before trial (i.e., December 10, 2019). (*See id.*) The parties filed cross-motions for summary judgment, which the

1 Court addressed on February 24, 2020. (*See* Dkt. Nos. 18, 22, 25.)

2 On February 28, 2020, after the discovery deadline and dispositive motions deadlines had
3 passed, the Court *sua sponte* continued the trial from March 9, 2020 until June 8, 2020. (*See* Dkt.
4 No. 26.) On June 1, 2020, the Court struck the trial date in light of the COVID-19 pandemic's
5 impact on the Court's operations. (*See* Dkt. No. 30; *see also* W.D. Wash. General Order 08-20.)
6 On June 25, 2020, the parties filed a stipulated motion requesting that the Court set a new trial
7 date and "[c]alendar[] new deadlines for a proposed pretrial order and trial briefs." (Dkt. No. 31
8 at 2.) The motion did not request that the Court reopen discovery. On July 8, 2020, the Court
9 entered the new trial schedule. (*See* Dkt. No. 32.) On August 31, 2020, Plaintiff filed an
10 unopposed motion to "[c]alendar[] new deadlines for a proposed pretrial order and trial briefs."
11 (*See* Dkt. No. 35.) Once again, the motion did not request that the Court reopen discovery. The
12 Court granted the motion on September 4, 2020. (*See* Dkt. No. 37.)

13 In sum, the discovery deadline passed on November 11, 2019 and none of the parties'
14 motions to continue trial requested that the Court reopen discovery and set a new discovery
15 deadline. Should either party wish to reopen discovery, that party must file a motion.

16
17 DATED this 10th day of November 2020.

18 William M. McCool
19 Clerk of Court

20 s/Paula McNabb
21 Deputy Clerk
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